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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,848	08/22/2003	Aki Niemi	59643.00314	8144

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EXAMINER

DESIR, PIERRE LOUIS

ART UNIT	PAPER NUMBER
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2617

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/645,848	Applicant(s) NIEMI, AKI	
	Examiner Pierre-Louis Desir	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-13 and 16-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-13 and 16-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/29/2007 has been entered.

Response to Arguments

2. Applicant's arguments filed on 10/29/2007 have been fully considered but they are not persuasive.

Applicants argue that the invite message referred to in the Office Action is merely the initial invite message sent from the first terminal to the conference server, and is not a further third message. Furthermore, the message referred to in the Office action is not sent to the other terminal through the conference server. Instead, continue applicants, the cited portion of the office action specifically states that the invite request instructs the conference server to transmit invite requests to the second and third data network telephones

Examiner respectfully disagrees. As stated by Applicants, Schuster discloses that an invite request instructs the conference server to transmit invite requests to the second and third data network telephones. Thus, the third message is a message instruction, which sent using the conference server to the other terminals.

Also, it should be noted that Henrikson discloses that conference access data are supplied to each participant. For example, Henrikson discloses, a conference bridge number and password may need to be distributed to conference participants to permit calling into the conference bridge (see col. 1, lines 42-48).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 25 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 25 discloses a "computer readable medium." This disclosure constitutes new matter.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4-13, 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al. (Schuster), U.S. Patent No. 6577622, in view of Henrikson et al. (Henrikson), U.S. Patent No. 6870916.

Regarding claims 1, 24, 25, Schuster discloses a method, system, and computer readable medium comprising means for administering conferencing resources in a communications system (see abstract), the method comprising and the system comprising means for: transmitting from a first terminal to a conference server a first message comprising a request for a resource capable of sustaining a conference call (i.e., SIP invite) (see figs. 2, 10A, 10B, and col. 9, lines 20-28); transmitting from the first terminal to at least one other terminal a third message (i.e., through the conference server, the first terminal transmits to the other terminals an invite message inherently comprising of the network address) (see figs. 10A-10B, and col. 22, lines 41-61); and initiating connections from the first terminal and the said other terminal to the network address to establish a conference call between the first terminal and the said other terminal (see figs. 10A-10B, col. 22, line 62 to col. 23, line 16); and wherein the communication system includes a plurality of terminals and a conference server (see abstract).

Although Schuster discloses that the conference server transmits INVITE message together with SIP identifiers to the other terminals, and that data channels are created between the data network telephones and the conference server (although one skilled in the art would unhesitatingly make the argument) (see col. 23, lines 3-16), Schuster does not specifically disclose a method comprising allocating by means of the server a network address identifying a resource capable of sustaining the conference call; transmitting from the server to the first

terminal a second message and a third message comprising the network address identifying the resource capable of sustaining the conference call.

However, Henrikson discloses a method comprising allocating by means of the server a network address identifying a resource capable of sustaining the conference call and transmitting from the server to the first terminal a second message comprising the network address identifying the resource capable of sustaining the conference call which has been allocated to the server (i.e., resources are allocated for the conference call, and a conference bridge number and password are distributed to conference participants to permit access and calling to conference bridge) (see col. 1, lines 42-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the teachings as described by Henrikson with the teachings of Schuster to have a server allocating appropriate resources, including bridge number (i.e., network address) and appropriate password to facilitate access to the conference call in order to ensure the proper functioning, as related to security, of the conference call process.

Regarding claim 4, Schuster discloses a method (see claim 1 rejection) wherein the transmitting the third message further comprises transmitting from the first terminal to at least two other terminals the third message comprising the network address (see figs. 10A-10B, and col. 22, lines 41-61); and wherein the initiating step further comprises initiating connections from the first terminal and the said other terminals to the network address to establish the conference call between the first terminal and the said other terminals (see figs. 10A-10B, col. 22, line 62 to col. 23, line 16).

Regarding claims 5 and 17, Schuster discloses a method and system (see claims 1 and 13 rejections) wherein transmitting step comprises transmitting the messages are SIP messages (see figs. 10A-10B, and col. 9, lines 20-49, and col. 22, lines 41-61).

Regarding claims 6 and 18, Schuster discloses a method and system (see claims 5 and 17 rejections) wherein in the transmitting from a first terminal to the server, the first message is an INVITE message (see figs. 10A-10B, and col. 9, lines 20-49, and col. 22, lines 41-61).

Regarding claims 7 and 19, Schuster discloses a method and system (see claims 5 and 17 rejections) wherein in the receiving from the server, the second message is a redirection message (see col. 9, lines 33-34. Also refer to Henrikson col. 1, lines 42-48).

Regarding claims 8 and 20, Schuster discloses a method and system (see claims 5 and 17 rejections) wherein in the transmitting from the first terminal to at least one other terminal, the third message is a REFER message (see figs. 10A-10B, and col. 22, lines 41-61).

Regarding claims 9 and 21, Schuster discloses a method and system (see claims 1 and 13 rejections) wherein in the allocating by the server, the network address is a uniform resource identifier (see fig. 10A-10B, and col. 9, lines 20-32. Also refer to Henrikson col. 1, lines 42-48).

Regarding claims 10 and 22, Schuster discloses a method and system (see claims 9 and 21 rejections) wherein in the allocating by the server, the network address is a dynamically generated uniform resource identifier (see col. 10, lines 20-29, and lines 50-56. Also refer to Henrikson col. 1, lines 42-48).

Regarding claims 11 and 23, Schuster discloses a method and system (see claims 1 and 13 rejections) further comprising merging data transmitted to the network by each of the terminals

that are parties to the conference call on establishment of the conference call by the resource (i.e., mixes incoming data) (see fids. 10A-10B, and col. 23, lines 3-16).

Regarding claim 12, Schuster discloses a communication system comprising a plurality of terminal and a conference server, the communication system comprising t): a receiver unit for configured to receive from a first terminal a first message comprising a request for a resource capable of sustaining a conference call (i.e., the conference server receives an INVITE request from the first terminal, which connote the inherency of a receiving unit) (see figs. 2, 10A, 10B, and col. 9, lines 20-28); transmitting from the first terminal to at least one other terminal a third message (i.e., through the conference server, the first terminal transmits to the other terminals an invite message inherently comprising of the network address) (see figs. 10A-10B, and col. 22, lines 41-61); and initiating connections from the first terminal and the said other terminal to the network address to establish a conference call between the first terminal and the said other terminal (see figs. 10A-10B, col. 22, line 62 to col. 23, line 16).

Although Schuster discloses that the conference server transmits INVITE message together with SIP identifiers to the other terminals, and that data channels are created between the data network telephones and the conference server (although one skilled in the art would unhesitatingly make the argument) (see col. 23, lines 3-16), Schuster does not specifically disclose an allocation unit configured to allocate a network address identifying a resource capable of sustaining the conference call, wherein the conference server administers conferencing resource and transmitting from the server to the first terminal a second message and a third message comprising the network address that identifies the resource capable of sustaining the conference call which has been allocated by the server.

However, Henrikson discloses a method comprising allocating by means of the server a network address identifying a resource capable of sustaining the conference call and transmitting from the server to the first terminal a second message comprising the network address that identifies the resource capable of sustaining the conference call which has been allocated by the server (i.e., resources are allocated (inherency of a allocation unit) for the conference call, and a conference bridge number and password are distributed to conference participants to permit access and calling to conference bridge) (see col. 1, lines 42-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the teachings as described by Henrikson with the teachings of Schuster to have a server allocating appropriate resources, including bridge number (i.e., network address) and appropriate password to facilitate access to the conference call in order to ensure the proper functioning, as related to security, of the conference call process.

Regarding claim 13, Schuster discloses a system (see claim 12 rejection) comprising a conference server and a plurality of terminals including the first terminal (see figs. 10A-10B).

Regarding claim 16, Schuster discloses a system (see claim 15 rejection) wherein the first terminal is configured to transmit to at least two other terminals the third message comprising the network address (see figs. 10A-10B, and col. 22, lines 41-61); and wherein the first terminal and the said other terminals are configured to initiate connections to the network address to establish a conference call between the first terminal and the said other terminals (see figs. 10A-10B, col. 22, line 62 to col. 23, line 16).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Louis Desir whose telephone number is (571) 272-7799. The examiner can normally be reached on Monday-Friday 8:00AM- 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Pierre-Louis Desir
01/07/2008


JOSEPH FEILD
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